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3 BILL NO. G- 79-01-18

4 GENERAL ORDINANCE NO. G- 03-79

5 AN ORDINANCE granting a non exclusive  
6 franchise to provide cable television  
7 service to the area known as Canterbury  
8 Green and environs in the City of Fort Wayne.

9 WHEREAS, the City of Fort Wayne has previously adopted  
10 General Ordinance No. G-27-77 providing for the establishment  
11 of a cable communications system in the City of Fort Wayne,  
12 which existing ordinance is incorporated herein by reference,  
13 and which ordinance became effective on July 26, 1977; and

14 WHEREAS, prior to January 1, 1976, Citizens Cable of  
15 Allen County, Inc. had constructed cable television facilities  
16 and a cable television system, and was furnishing cable tele-  
17 vision service, to the areas known as Canterbury Green and  
18 Shoaff Park River Estates being bounded on the East by St.  
19 Joe Road, on the North by Shoaff Park, on the West by the St.  
20 Joseph River, and on the South by the Indiana-Purdue University  
21 of Fort Wayne; and

22 WHEREAS, on January 1, 1976, the said areas described  
23 above were annexed to the City of Fort Wayne, and Citizens  
24 Cable of Allen County, Inc. has continued to provide cable  
25 television service to said areas and now seeks to obtain a  
26 non-exclusive franchise under and pursuant to General Ordinance  
27 No. G-27-77, to permit it to continue to furnish such service  
28 to the area, and

29 WHEREAS, the existing cable system of Citizens Cable of  
30 Allen County, Ind. surrounds the area in the City known as the  
31 Fort Wayne State School and the area bounded by St. Joe Center  
32 Road, Evard Road and St. Joe Road, and Citizens Cable of Allen  
33 County, Inc. is willing to serve these areas; and,

34 WHEREAS, Citizens Cable of Allen County, Inc. now seeks a  
35 non-exclusive franchise under Ordinance G-27-77, to serve said  
areas; and

2 WHEREAS, Citizens Cable of Fort Wayne, Inc., the fran-  
3 chisee under Ordinance G-27-77, has consented to the granting  
4 of the franchises sought by Citizens Cable of Allen County, Inc.

5 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY  
6 OF FORT WAYNE:

7 SECTION 1. Citizens Cable of Allen County, Inc. is hereby  
8 granted a non-exclusive franchise to provide cable television  
9 service utilizing its facilities and system to the areas known  
10 as Canterbury Green and Shoaff Park River Estates, being bounded  
11 on the East by St. Joe Road, on the North by Shoaff Park, on the  
12 West by St. Joseph River, and on the South by Indiana-Purdue  
13 University of Fort Wayne, and to the Fort Wayne State School  
14 and to the area bounded by St. Joe Center, Reed Road, Evard  
15 Road and St. Joe Road, all of which areas are so delineated on  
16 a Section Map of Allen County which is attached to this Ordin-  
17 ance as "EXHIBIT A" and which is incorporated herein by  
18 reference, which franchise shall be subject to the applicable  
19 terms and conditions of General Ordinance No. G-27-77 (an  
20 Ordinance providing for the establishment of a cable communi-  
21 cations system in the City of Fort Wayne), which General Or-  
22 dinance No. G-27-77 is incorporated herein by reference.

23 SECTION 2. The initial rate structure to be charged by  
24 Citizens Cable of Fort Wayne, Inc. to its customers in the  
25 franchise area shall be as set forth on the "Rate Structure-  
26 Citizens Cable of Allen County, Indiana, Inc." which is attached  
27 to this Ordinance as "EXHIBIT B" and which is incorporated ..  
28 herein by reference, provided that rates charged to customers  
29 in the Fort Wayne State School area and in the area bounded  
30 by St. Joe Center Road, Reed Road, Evard Road and St. Joe Rd.  
31 shall conform to rates charged by Citizens Cable of Fort Wayne,  
32 Inc. to its customers within the City of Fort Wayne.

33 SECTION 3. The franchise granted hereby is limited to  
34 the areas above described and shall not be construed to encom-  
35 pass any other part of the City of Fort Wayne. It is recognized

that Citizens Cable of Allen County, Inc. also serves subscribers located outside the franchised area, and outside the limits of the City of Fort Wayne, and payments to be made to the City under Article VIII (Rates and Franchise Payments) of General Ordinance No. G-27-77 shall be based only upon Citizens Cable of Allen County, Inc. receipts from its customers within the area franchised hereby. Because this franchise is limited to a relatively small area, the following portions of General Ordinance No. G-27-77 shall not apply: III E; V A (3); V D (2) so long as Citizens Cable of Allen County, Inc. maintains its present office and telephone listing in the City of New Haven, Indiana; VF: VII N: XI; and XIV.

SECTION 4. This Ordinance shall take effect from and after its passage and approval by the Mayor, and after Citizens Cable of Allen County, Inc. shall file its written acceptance of same and its agreement to be found by and comply with all of the applicable requirements of General Ordinance No. G-27-77.

William T. Zinga  
COUNCILMAN

Approved as to form and legality this 5th day of January, 1979.

John H. Logan  
John H. Logan, Attorney for the Common Council of the City of Fort Wayne, Indiana

Martin

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_

Salvius, and duly adopted, read the second time by title and referred to the Committee on City 20. (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.,E.S.T.

DATE: 1-9-79.

Charles W. Witterman  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, Hinga, seconded by D. Schmidt, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 1-23-79

Charles W. Witterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE  
(RESOLUTION) No. G-03-79 on the 23rd day of January, 1979.  
ATTEST: (SEAL)

Charles W. Witterman  
CITY CLERK

W. M. C. Witterman Jr.  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th  
day of January, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Witterman  
CITY CLERK

Approved and signed by me this 25th day of January, 1979,  
at the hour of 3:30 o'clock P.M., E.S.T.

Ralph E. Amstrong  
MAYOR

Bill No. G-79-01-18

REPORT OF THE COMMITTEE ON CABLE TV

We, your Committee on CABLE TV to whom was referred an Ordinance granting a non exclusive franchise to provide cable television service to the area known as Canterbury Green and environs in the City of Fort Wayne

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do PASS.

WILLIAM T. HINGA - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

FREDRICK R. HUNTER

VIVIAN G. SCHMIDT

PAUL M. BURNS

*William T. Hinga*

*James Stier*

*Fredrick R. Hunter*

*Vivian G. Schmidt*

*Paul M. Burns*

DATE 1/23/79

CONCURRED IN

CHARLES W. WETTERMAN, CITY CLERK

EXHIBIT A

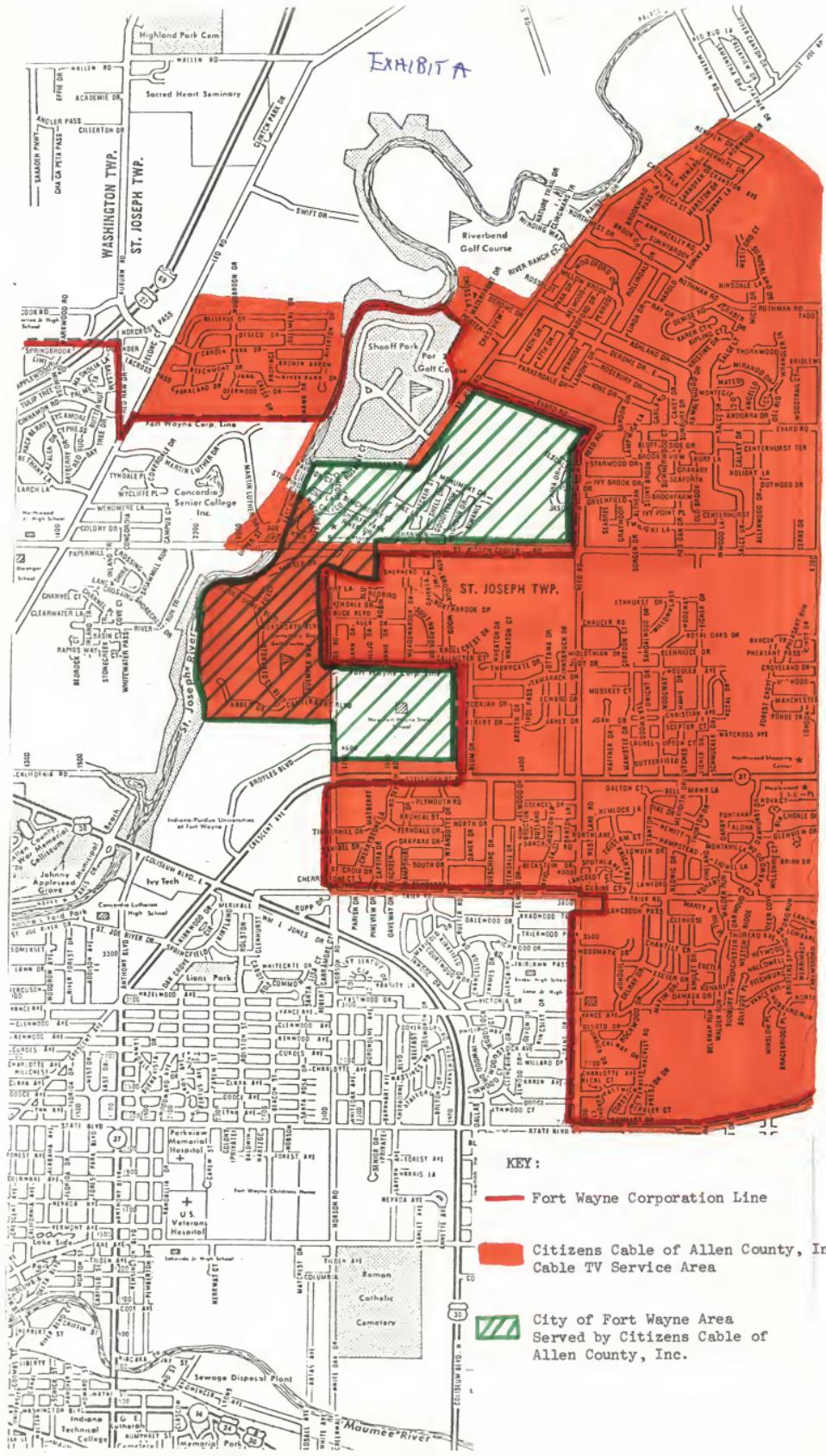


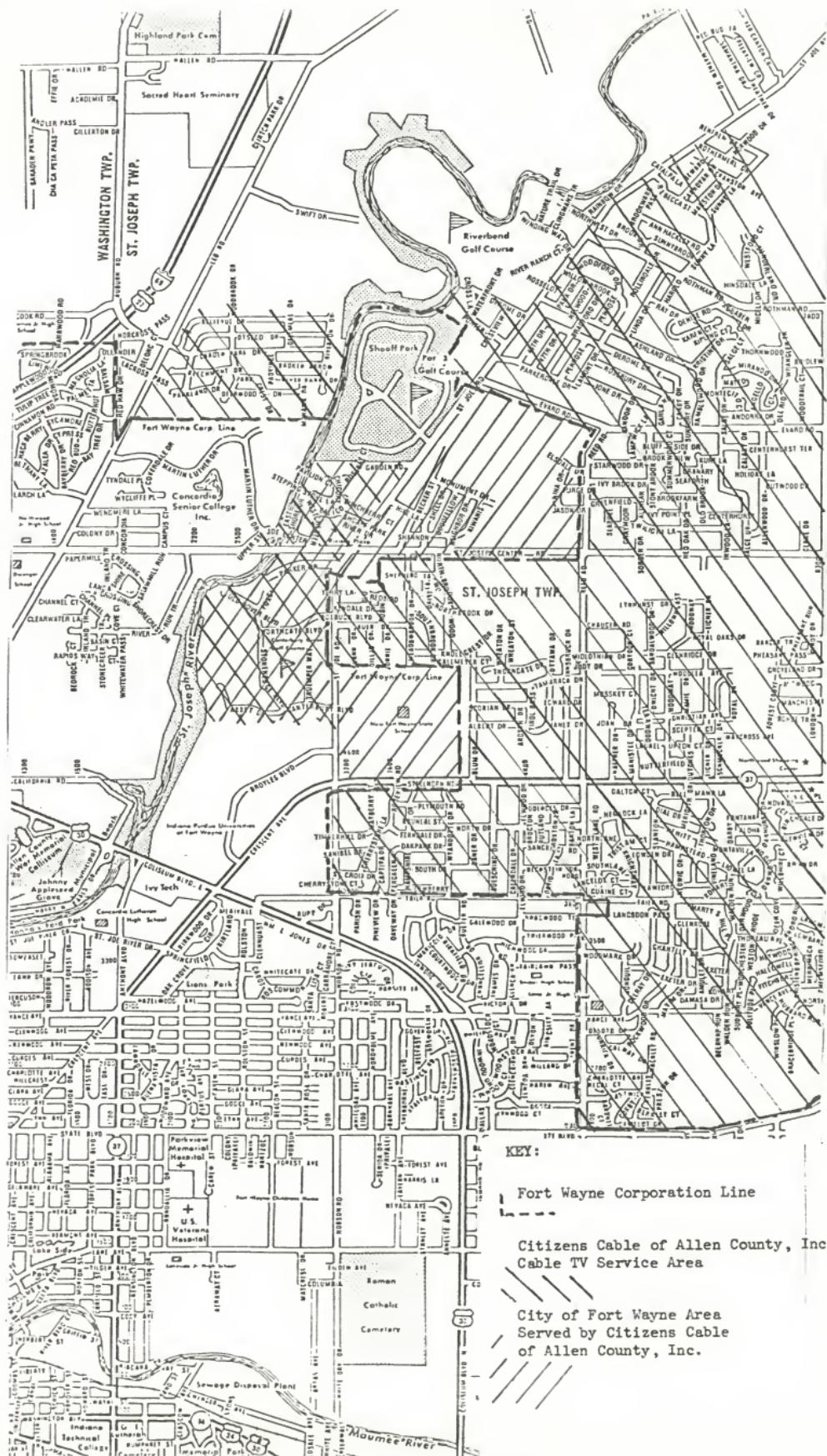
EXHIBIT "B"

RATE STRUCTURE - CITIZENS CABLE OF ALLEN COUNTY, INC.

A. For regular subscriber fees, the sum of \$7.00 per month for the first outlet, \$1.50 per month for the second outlet, and \$1.00 per month for additional outlets, when installed in the subscriber's premises. No deposit fee shall be charged for those outlets.

B. For standard installation, the sum of \$20.00 for the first outlet, \$5.00 for each additional outlet when installed with the first outlet.

C. A detailed schedule of rates will be kept on file in the office of the Fort Wayne Board of Public Works.



**KEY:**

Fort Wayne Corporation Line

Citizens Cable of Allen County, Inc.  
Cable TV Service Area

City of Fort Wayne Area  
Served by Citizens Cable  
of Allen County, Inc.